REMARKS

In response to the Office Action dated January 4, 2006, Applicant respectfully requests reconsideration based on the above amendment and following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 6, 14 and 17 were rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. The Examiner appears to suggest that the features of placing a call on hold based on a time schedule or the identity of the caller are not adequately described in the specification. Applicant respectfully disagrees that these features are not adequately disclosed in the specification.

The specification clearly teaches automatically answering a call with a hold message as described in paragraph [0043], as cited by the Examiner. This paragraph, and step 302 of Figure 3, teach answering the call when the hold function is enabled. Paragraph [0047] teaches that the user may specify a time period when the hold function is enabled. Paragraph [0049] teaches that the user may designated individual callers for which calls should be placed on hold. Thus, there is clear support in the specification for placing a call on hold based on the time or the caller. Accordingly, the rejection of claims 6, 14 and 17 should be withdrawn.

Claims 6-10, 12, 13 and 17-22 were rejected under 35 U.S.C. § 103 as being unpatentable over Novak in view of Dutta. This rejection is traversed for the following reasons.

Claim 6 recites, *inter alia*, "automatically answering the call if the call corresponds to the one or more parameters of the hold function and placing the call on hold; playing a message to the calling party that the call has been placed on hold; and connecting the called party to the calling party when the called party answers the call." Claim 6 defines a hold system. Novak is not a hold system, but rather a voice mail system. Depending on the caller or the time, Novak teaches either placing the call into voicemail or processing the call in a normal fashion. There is no hold function in Novak.

The Examiner relies on Dutta for disclosing placing a call on hold based on certain parameters, but this fails to cure the deficiencies of Novak. Novak is directed to

placing calls into voicemail, not to a hold function. Thus, the hold features of Dutta would not be applicable to the system of Novak.

For at least the above reasons, claim 6 is patentable over Novak in view of Dutta. Claims 7-10, 12, 13, and 21 depend from claim 6 and are patentable over Novak in view of Dutta for at least the reasons advance with respect to claim 6.

Independent claim 17 recites features similar to those discussed with reference to claim 6. Thus, claim 17 is patentable over Novak in view of Dutta. Claims 18-20 and 22 depend from claim 17 and are patentable over Novak in view of Dutta for at least the reasons advance with respect to claim 17.

Claim 11 was rejected under 35 U.S.C. § 103 as being unpatentable over Novak in view of Dutta and Okun. This rejection is traversed for the following reasons.

Okun was relied upon for disclosing a message resident on a service node of a telecommunication network, but fails to cure the deficiencies of Novak in view of Dutta discussed above with reference to claim 6. Claim 11 depends from claim 6 and is patentable over Novak in view of Dutta and Okun for at least the reasons advance with reference to claim 6.

Claims 14-16 were rejected under 35 U.S.C. § 103 as being unpatentable over Okun in view of Novak. This rejection is traversed for the following reasons.

Claim 14 recites, *inter alia,* "the determining based on at least one of a schedule including at least one time period during which the incoming call is placed on hold, and a list including at least one potential calling party from whom incoming calls are placed on hold." As noted by the Examiner, Okun fails to teach placing a caller on hold based on these parameters. In Okun, the called party places the call in hold by pressing a button. Novak is directed to a voicemail system that places callers into voice mail based on the caller's identity or a schedule. Novak does not teach placing callers on hold. Thus, even if Okun and Novak are combined, the logical combination would be to use the hold features of Okun with the voice mail features of Novak. There is no teaching or suggestion in either reference to modify the hold features of Okun.

For at least the above reasons, claim 14 is patentable Okun in view of Novak. Claims 15 and 16 depend from claim 14 and are patentable over Okun in view of Novak for at least the reasons advance with respect to claim 14.

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In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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